
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: ROWE, et al.

Attorney Docket No.: IGT1P119/P-390

Application No.: 09/688,854

Examiner: N. Pillai

Filed: October 16, 2000

Group: 2173

Title: METHOD AND SYSTEM FOR
CONFIGURING A GRAPHICAL USER
INTERFACE BASED UPON A USER
PROFILE

Confirmation No.: 1791

**APPEAL BRIEF TRANSMITTAL
(37 CFR 41)**

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Sir:

This brief is in furtherance of the Notice of Appeal filed in this case on September 28, 2006 and the Notice of Panel Decision from Pre-Appeal Brief Review dated November 6, 2006.

This application is on behalf of

☐

Small Entity

☒

Large Entity

Pursuant to 37 CFR 1.17(f), the fee for filing the Appeal Brief is:

☐

\$250.00 (Small Entity)

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\$500.00 (Large Entity)

☒ Applicant(s) hereby petition for a 02 month extension(s) of time to file under 37 CFR 1.136.

If an additional extension of time is required, please consider this a petition therefor.

☐

An extension for ____ months has already been secured and the fee paid therefor of \$120.00 is deducted from the total fee due for the total months of extension now requested.

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Applicant(s) believe that no (additional) Extension of Time is required; however, if it is determined that such an extension is required, Applicant(s) hereby petition that such an extension be granted and authorize the Commissioner to charge the required fees for an Extension of Time under 37 CFR 1.136 to Deposit Account No. 500388.

Total Fee Due:

Appeal Brief fee \$500.00

Extension Fee (if any) \$450.00

Total Fee Due \$950.00

☐ Enclosed is Check No. in the amount of \$.

☒ **Please charge the required fees and any additional fees or credit any overpayment to Deposit Account No. 500388, (Order No. IGT1P119).**

Respectfully submitted,
BEYER WEAVER LLP

/justinwhite/
Justin A. White
Reg. No. 48,883

P.O. Box 70250
Oakland, CA 94612-0250
(408) 255-8001

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF APPEALS**

EX PARTE RICK ROWE, ET AL.

Application for Patent

Filed October 16, 2000

Application No. 09/688,854

**FOR:
METHOD AND SYSTEM FOR CONFIGURING A GRAPHICAL
USER INTERFACE BASED UPON A USER PROFILE**

APPEAL BRIEF

**BEYER WEAVER LLP
Attorneys for Applicants**

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I. REAL PARTY IN INTEREST

The real party in interest is IGT, the assignee of the present application, having an address at 9295 Prototype Drive, Reno, Nevada 89521.

II. RELATED APPEALS AND INTERFERENCES

The undersigned is not aware of any related appeals and/or interferences.

III. STATUS OF CLAIMS

There are 30 total claims pending in this application, namely claims 1-8, 10-14 and 17-33. No claims have been allowed or have been indicated as being allowable. Claims 1, 10, 17 and 32 are independent. Claims 2-8 all depend directly from independent claim 1. Claims 11-14 all depend directly or indirectly from independent claim 10. Claims 18-31 all depend directly or indirectly from independent claim 17. Claim 33 depends directly from independent claim 32. Claims 9 and 15-16 have been canceled during prosecution.

Claims 1-8, 10-14 and 17-33 all stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,971,271 to Wynn, et al. ("Wynn") and U.S. Patent No. 6,905,409 to Bradshaw ("Bradshaw").

All rejections of all claims are appealed in this brief.

IV. STATUS OF AMENDMENTS

The last claim amendments by Applicant were made in a Response dated March 17, 2005. These new claims were entered and considered in the next Office Action of June 16, 2005. No claim amendments or addition of new claims has been made since this time. As such, there are no claim amendments that have not been entered, and the claims presented in the Claims Appendix herein represent all presently pending claims.

V. SUMMARY OF CLAIMED SUBJECT MATTER

The present invention relates generally to the field of graphical user interfaces ("GUIs"), and more particularly to the configuration and arrangement of GUIs for wager based gaming machines and systems. In general, the claimed methods and systems involve

the customized configuration of a GUI on a wager based gaming system (Specification, page 8 lines 8-18, page 24, line 22 through page 28 line 7; Figures 1, 2, 4, 8, 9).

Independent claim 1

More specifically, independent claim 1 is directed toward, “A method of configuring a graphical user interface associated with an application executed by a computing device of a gaming system, said gaming system including at least one gaming device adapted to accept a wager by a player, present a game, and grant an award for predetermined winning events” (Specification, page 8 lines 8-18, page 24, line 22 through page 25 line 12; Figures 1, 4, 9).

Method steps of claim 1 include:

- providing a set of navigation selectable elements (Specification, page 9 line 4 through page 10 line 14);

- accepting a first input from a given user of said gaming system (Specification, page 13 lines 20-21, page 15 lines 22-23, page 16 lines 11-19);

- accepting a second input from an operator of said gaming system (Specification, page 28 line 16 through page 29 line 4, page 32 lines 1-6);

- providing a user identification associated with said given user (Specification, page 16 lines 11-19);

- determining a user profile from said user identification (Specification, page 16 line 11 through page 17 line 4);

- determining which elements from said set of navigation selectable elements that said user is permitted to view in accordance with said user profile (Specification, page 17 lines 5-14); and

- displaying only said navigation selectable elements said user is allowed to view, wherein said resulting display is customized to the user based at least in part upon said first input and said second input (Specification, page 17 line 5 through page 19 line 7, page 28 line 16 through page 29 line 4, page 32 lines 1-6).

Dependent claim 2

Claim 2 depends directly from independent claim 1 and adds the limitation:

“wherein said navigation selectable elements include container elements.”

Support for this additional limitation can be found at Specification, page 10 lines 6-14 and at Figure 1.

Dependent claim 4

Claim 4 depends directly from independent claim 1, and adds the limitation:

“wherein said navigation selectable elements are arranged in a hierarchical format”

Support for this additional limitation can be found at Specification, page 10 lines 16-21 and at Figure 1.

Dependent claim 6

Claim 6 depends directly from independent claim 1 and adds the limitation:

“including the step of displaying said navigation selectable elements in a tree form.”

Support for this additional limitation can be found at Specification, page 11 lines 1-11 and at Figure 1.

Dependent claim 7

Claim 7 depends directly from independent claim 1, and adds the limitation:

“including the step of displaying the displayed navigation selectable elements in a form dependent upon said user profile”

Support for this additional limitation can be found at Specification, page 16 line 21 through page 19 line 21.

Independent claim 10

Similarly, independent claim 10 is also specifically directed toward, “A method of configuring a graphical user interface associated with an application executed by a computing device of a gaming system, said gaming system including at least one gaming device adapted to accept a wager by a player, present a game, and grant an award for predetermined winning events” (Specification, page 8 lines 8-18, page 24, line 22 through page 25 line 12; Figures 1, 4, 9). Method steps of claim 10 include:

providing a set of navigation selectable elements, said set of navigation selectable elements having a predetermined order (Specification, page 9 line 4 through page 10 line 14);

accepting a first input from a given user of said gaming system (Specification, page 13 lines 20-21, page 15 lines 22-23, page 16 lines 11-19);

accepting a second input from an operator of said gaming system, wherein said operator is an employer of said given user (Specification, page 28 line 16 through page 29 line 4, page 32 lines 1-6);

providing a user identification associated with said given user (Specification, page 16 lines 11-19);

determining a user profile from said user identification (Specification, page 16 line 11 through page 17 line 4);

determining an access point for said ordered navigation selectable elements for said given user from said profile, said access point determining a portion of said navigation selectable elements which are accessible to said given user and a portion of said navigation selectable elements which are not accessible to said given user based on said order thereof (Specification, page 17 lines 5-14, page 19 lines 9-21); and

displaying only one or more of said navigation selectable elements which are accessible to said given user, wherein said resulting display is customized to the given user based at least in part upon said first input and said second input (Specification, page 17 line 5 through page 19 line 7, page 28 line 16 through page 29 line 4, page 32 lines 1-6).

Dependent claim 12

Claim 12 depends directly from dependent claim 11 and thus indirectly from independent claim 10, and adds the limitation:

“wherein navigation selectable elements associated with one or more levels higher than the level with which said access point is associated are not accessible to said user”

Support for this additional limitation can be found at Specification, page 19 line 9 through page 20 line 11 and at Figures 7a and 7b.

Dependent claim 13

Claim 13 depends directly from independent claim 10 and adds the limitations:

“including the steps of determining a configuration for said navigation selectable elements based upon said user profile and displaying said navigation selectable elements in accordance with said configuration.”

Support for these additional limitations can be found at Specification, page 19 line 9 through page 20 line 11 and at Figures 7a and 7b.

Dependent claim 14

Claim 14 depends directly from independent claim 10, and adds the limitations:

“including the steps of determining if said user is restricted from viewing one or more of said navigation selectable elements based upon said user profile and preventing the display of those elements”

Support for these additional limitations can be found at Specification, page 19 line 9 through page 20 line 11 and at Figures 7a and 7b.

Independent claim 17

Independent claim 17 is the only independent system claim, and is directed toward, “A gaming system” (Specification, page 24, line 22 through page 25 line 12; Figure 9).

Elements of independent claim 17 include:

- a computing device adapted to accept a first input from a given user of said gaming system and a second input from an operator of said gaming system (Specification, page 13 lines 20-21, page 15 lines 22-23, page 16 lines 11-19, page 24, line 22 through page 25 line 12, page 28 line 16 through page 29 line 4, page 32 lines 1-6; Figure 9);

- at least one gaming device associated with said computing device, said gaming device adapted to accept a wager by a player, present a game, and grant an award for predetermined winning events; (Specification, page 25 lines 6-12; Figure 9);

- at least one first user station and at least one second user station associated with said system for displaying information and for providing input to said computing device (Specification, page 24, line 22 through page 27 line 6; Figure 9); and

- a graphical user interface for displaying said information, said graphical user interface including (Specification, page 8 lines 8-18, page 24, line 22 through page 25 line 12; Figures 1, 4, 9):

- a main window having a navigation viewport displaying one or more navigation selectable elements, one or more of said one or more navigation selectable elements comprising an application initiating element,

- and a data viewport arranged to display information associated with an application initiated by selection of one of said one or more application initiating elements, wherein said graphical user interface is adapted to display said navigation selectable elements in a plurality of configurations dependent upon a configuration of a station on which said graphical user interface is displayed or a user profile, and wherein said resulting display is customized to the user based at least in part upon said first input and said second input (Specification, page 9 line 4 through page 10 line 14 page 17, line 5 through page 19 line 7, page 28 line 16 through page 29 line 4, page 32 lines 1-6).

Dependent claim 18

Claim 18 depends directly from independent claim 17 and adds the limitations:

“wherein said at least one first user station comprises a station having a touch-sensitive display and wherein said graphical user interface adapted to display one or more of said navigation selectable elements as user-selectable buttons.”

Support for these additional limitations can be found at Specification, page 11 lines 13-23.

Dependent claim 19

Claim 19 depends directly from dependent claim 18 and thus indirectly from independent claim 17, and adds the limitation:

“said graphical user interface is adapted to display said navigation selectable elements in a tree form.”

Support for this additional limitation can be found at Specification, page 11 lines 1-11 and at Figure 1.

Dependent claim 22

Claim 22 depends directly from dependent claim 21 and thus indirectly from independent claim 17, and adds the limitation:

“wherein said soft count system is arranged to verify the authenticity of accepted vouchers or tickets and reconcile said accepted vouchers or tickets against those that have been recorded as having been received and paid by said one or more gaming devices within said gaming system.”

Support for this additional limitation can be found at Specification, page 25 line 19 through page 26 line 2.

Dependent claim 23

Claim 23 depends directly from dependent claim 21 and thus indirectly from independent claim 17, and adds the limitation:

“wherein said gaming system accounting system is adapted for use by casino financial personnel and cashiers, wherein at least one user profile for one cashier does not permit the display of soft count information to said cashier on said gaming system.”

Support for this additional limitation can be found at Specification, page 28 line 16 through page 29 line 3.

Dependent claim 24

Claim 24 depends directly from dependent claim 20 and thus indirectly from independent claim 17, and adds the limitation:

“wherein said gaming system accounting system comprises an audit system adapted to poll a host of said gaming system to confirm proper operation of the system.”

Support for this additional limitation can be found at Specification, page 26 lines 4-8.

Dependent claim 27

Claim 27 depends directly from dependent claim 26 and thus indirectly from independent claim 17, and adds the limitation:

“wherein said location of said one or more elements of the graphical user interface depends on whether a particular user is left or right handed.”

Support for this additional limitation can be found at Specification, page 32 lines 15-17.

Dependent claim 31

Claim 31 depends directly from dependent claim 18 and thus indirectly from independent claim 17, and adds the limitation:

“wherein said user profile comprises a common user profile shared by a plurality of users of said gaming system.”

Support for this additional limitation can be found at Specification, page 16 line 11 though page 17 line 4, page 29 lines 15-20.

Independent claim 32

Independent claim 32 is similarly directed toward, “A method of configuring a graphical user interface associated with a gaming system, said gaming system including at least one gaming device adapted to accept a wager by a player, present a game, and grant an award for predetermined winning events” (Specification, page 8 lines 8-18, page 24, line 22 through page 25 line 12; Figures 1, 4, 9). Method steps of claim 32 similarly include:

providing a set of navigation selectable elements, at least one navigation selectable element comprising a level navigation button, wherein said level navigation button is not made available to all users of said gaming system (Specification, page 9 line 4 through page 10 line 14, page 12 lines 1-11, page 17 lines 16-24);

accepting a first input from a given user of said gaming system (Specification, page 13 lines 20-21, page 15 lines 22-23, page 16 lines 11-19);

accepting a second input from an operator of said gaming system, wherein said operator is an employer of said given user (Specification, page 28 line 16 through page 29 line 4, page 32 lines 1-6);

providing a user identification associated with said given user (Specification, page 16 lines 11-19);

determining a first user profile from said user identification, said first user profile being determined from a set of user profiles, wherein at least one of said user profiles comprises a common user profile shared by a plurality of users of said gaming system (Specification, page 16 line 11 through page 17 line 4, page 29 lines 15-20);

determining which elements from said set of navigation selectable elements that said given user is permitted to view in accordance with said first user profile (Specification, page 17 lines 5-14); and

displaying only said navigation selectable elements said given user is allowed to view, wherein said resulting display is customized to the given user based at least in part upon said first input and said second input (Specification, page 17 line 5 through page 19 line 7, page 28 line 16 through page 29 line 4, page 32 lines 1-6).

VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

Per the Final Office Action of June 28, 2006 (“Final Office Action”), claims 1-8, 10-14 and 17-33 all stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,971,271 to Wynn, et al. (“Wynn”) and U.S. Patent No. 6,905,409 to Bradshaw (“Bradshaw”). No other grounds of rejection were given.

VII. ARGUMENT

A) The rejection of claims 1-8, 10-14 and 17-33 under 35 U.S.C. §103(a)

1. Independent claims 1 and 32

Independent claims 1 and 32 pertain to methods of configuring a graphical user interface associated with a gaming system. Claims 1 and 32 are both rejected under 35 U.S.C. §103(a) as being unpatentable over Wynn and Bradshaw.

- (a) Neither Wynn nor Bradshaw teaches determining which navigation selectable elements a user is permitted to view in accordance with a user profile**

In order to render a claim as obvious, a purported combination of references must contain every material element of that claim. *See* MPEP § 2143. Independent claims 1 and 32 both recite the step, “determining which elements from said set of navigation selectable elements that said [given] user is permitted to view in accordance with said [first] user profile.” Applicants respectfully submit that not only does the Final Office Action not show or discuss how this specific step can be found in the recited prior art, but that the Final Office Action fails even to allege such a teaching. Applicants have pointed out this failure to account for this specific material claim element before, as can be seen from Applicants’ Response of April 12, 2006 and Pre-Appeal Request for Review of September 28, 2006.

In particular, the Final Office Action states at page 3, “Wynn . . . does not explicitly teach providing *a set of navigation selectable elements*” (emphasis added). The Final Office Action then goes on to assert, “Bradshaw discloses a gaming system providing a set of navigation selectable elements (column 6, lines 40-55),” which passage merely discloses buttons in the form of a numerical keypad with several added function keys. No further explanation is given regarding determining which navigation selectable elements a user is permitted to view. In fact, nowhere in Bradshaw is it taught or suggested that any subset of elements from this alleged set of navigational selectable elements are viewable, much less where any *determination* is made as to which elements a user is permitted to view. Not only does Bradshaw not teach or suggest such a determining step, but Bradshaw certainly does not teach basing such a determination on a *user profile*. Nothing in Wynn cures this deficiency of Bradshaw, such that the pending § 103 rejections for these claims cannot stand as presented.

(b) Wynn does not teach numerous additional claim elements

Contrary to the assertions of the Final Office Action, independent claims 1 and 32 contain numerous elements that are simply not taught by the recited prior art. In particular, these claim elements include the following:

- accepting a second input from an operator of said gaming system,
- providing a user identification associated with said given user,
- determining a user profile from said user identification,
- displaying only said navigation selectable elements said user is allowed to view, and
- wherein said resulting display is customized to the user based at least in part upon said first input and said second input.

At page 2, the Final Office Action states, “Wynn discloses accepting a second input from an operator of the gaming system (column 2, lines 40-45). The Final Office Action then goes on to state, “Wynn discloses providing a user identification associated with the given user, determining a user profile from the user identification, determining the information that the user is permitted to view in accordance with the user profile and displaying only the information the user is allowed to view, wherein the resulting display is customized to the user based at least in part upon the first input and second input (column 2, lines 35-45).” However, a careful read of this passage of Wynn simply does not reveal all of these claimed steps and elements, and Applicants remain at a loss as to how to address this deficiency of Wynn. For purposes of clarity, the specific passage of Wynn that is alleged to teach all of these steps is provided here in its entirety:

The combination of the card club feature and the voice and video communication now make it possible for the concierge via video image and audio channel to greet the player, remind him of his card club bonus level and also solicit any of the needs of the player such as change, beverage, dinner reservations, or the like so the player has no need to leave the machine, nor interrupt his play. Likewise, solicitation for card club membership can be made via the channel in a courteous manner.

Applicants note that the present claims are directed toward “(configuring) *a graphical user interface*,” rather than providing a simple display and/or video feed as is done here and in Wynn in general, and submit that neither this quoted passage nor any other passage in Wynn teaches the claim steps and elements set forth above, as has been alleged.

(c) No proper motivation to combine Wynn and Bradshaw has been provided

The teaching or suggestion to make a claimed combination of prior art references must be found in the prior art itself, and not based upon the disclosure of the Applicant. *See* MPEP § 2143. Furthermore, the level of skill in the art cannot be relied upon to provide the suggestion to combine references, and the mere fact that references can possibly be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the claimed combination. *See* MPEP § 2143.01. The Final Office Action states, “It would have been obvious for one skilled in the art, at the time of the invention to learn from Bradshaw to disclose teaching providing a set of navigation selectable elements,” and also “it would have been obvious to provide a set of navigation selectable elements for displaying for carrying out the user interaction referred to in Wynn.”

Applicants respectfully submit that despite these brief statements regarding the alleged obviousness of combining Wynn and Bradshaw, the Final Office Action does not actually

provide any proper motivation for such a combination. To the extent that any such motivation to combine Wynn and Bradshaw has been alleged, the Final Office Action certainly does not explain how such motivation is contained within the prior art itself, as is required.

Accordingly, Applicants respectfully submit that no proper motivation to combine references in the manner proffered has been provided or alleged to be within the prior art itself, such that a *prima facie* case for obviousness has not been made for at least this reason. Applicants submit that this basis for reversing the pending rejections applies to all pending rejections.

(d) No reasonable expectation of success for the proposed combination of Wynn and Bradshaw has been provided

A reasonable expectation of success in making a proposed combination must be found in the prior art itself and cannot be based on the disclosure provided by the Applicant. *See* MPEP § 2143. Applicants respectfully submit that the Final Office Action fails to show where any reasonable expectation of success in making the proposed combination exists in the recited prior art itself. These references must be viewed without the benefit of impermissible hindsight afforded by the claimed invention, and Applicants submit that one of skill in the art would simply not consider modifying the relatively simple numerical keypad of Bradshaw to be a customized graphical user interface for each user, and then combine this modified keypad with the video feed display disclosed by Wynn to arrive at the claimed invention.

Nothing in either reference suggests that the numerical keypad of Bradshaw should or could be customized for a given user. Furthermore, the only “customization” taught by Wynn is with respect to data, such as user name and other personal information that might be displayed. Such customization is not made with respect to an overall *graphical user interface* configuration, as has been claimed. In fact, nothing in either reference teaches or suggests a *graphical user interface* that is customizable for a user, much less one that is customizable based on input from both the user and an operator. Furthermore, neither reference teaches or suggests a graphical user interface having a set of navigation selectable elements, some of which may or may not be accessible to the user based on such a customized configuration. In making the pending rejections, the Final Office Action repeatedly confuses the present claim terms “user” and “operator” with player, casino employee, concierge, casino supervisor and so forth without definitively reading and assigning these persons to their alleged associated terms. As such, the numerical keypad of Bradshaw, which is to be used by a casino dealer, does not translate well to the video feed and display system of Wynn, which is used by a game player. Similar discrepancies exist with other purported combinations of the teachings of Wynn and Bradshaw.

In sum, Applicants respectfully submit that no reasonable expectation of success has been shown to be within the recited prior art, such that a *prima facie* case for obviousness has not been made for at least this reason. Applicants also submit that this basis for reversing the pending rejections applies to all pending rejections.

For at least the foregoing reasons, Applicants respectfully submit that the pending rejections of independent claims 1 and 32 cannot stand as presented. Because each of dependent claims 2-8 and 33 all depend from claims 1 or 32, the pending rejections for these claims similarly cannot stand for at least the same reasons.

2. Dependent claims 2, 4, 6 and 7

Claims 2, 4, 6 and 7 also pertain to methods of configuring a graphical user interface associated with a gaming system, and each depends directly from independent claim 1. Claims 2, 4, 6 and 7 are also all rejected under 35 U.S.C. §103(a) as being unpatentable over Wynn and Bradshaw.

(a) Dependent claim 2

Claim 2 depends directly from independent claim 1, and is therefore submitted to be patentable over Wynn and Bradshaw for at least the reasons set forth above with respect to claim 1. Furthermore, dependent claim 2 recites the following claim element:

“wherein said navigation selectable elements include container elements.”

The Final Office Action states, “Referring to claims 2 and 5, Wynn and Bradshaw disclose that the navigation selectable elements include container elements (Bradshaw, column 6, lines 40-45).” As noted above, this passage merely discloses buttons in the form of a numerical keypad with several added function keys. No container elements are taught or suggested by this passage, or by Bradshaw generally. Accordingly, it is respectfully submitted that claim 2 is patentable over Wynn and Bradshaw for at least this reason, as well as for the reasons stated above with regards to independent claim 1.

(b) Dependent claim 4

Claim 4 depends directly from independent claim 1, and is therefore submitted to be patentable over Wynn and Bradshaw for at least the reasons set forth above with respect to claim 1. Furthermore, dependent claim 4 recites the following claim element:

“wherein said navigation selectable elements are arranged in a hierarchical format.”

The Final Office Action states, “Referring to claim 4, Wynn and Bradshaw do not disclose that the navigation selectable elements are arranged in a hierarchical format. It would have been obvious for one skilled in the art, at the time of the invention to disclose arranging the elements in a hierarchical format.” Applicants respectfully traverse this illogical conclusion. Bradshaw discloses a numerical keypad with added function keys. Wynn discloses a video feed display. There is no logical basis for asserting that either of these types of presentations can or should be arranged in a hierarchical format. Accordingly, it is respectfully submitted that claim 4 is patentable over Wynn and Bradshaw for at least this reason, as well as for the reasons stated above with regards to independent claim 1.

(c) Dependent claim 6

Claim 6 depends directly from independent claim 1, and is therefore submitted to be patentable over Wynn and Bradshaw for at least the reasons set forth above with respect to claim 1. Furthermore, dependent claim 6 recites the following claim element:

“including the step of displaying said navigation selectable elements in a tree form.”

The Final Office Action states, “Referring to claim 6, Wynn and Bradshaw do not disclose displaying the navigation selectable elements in a tree form. It would have been obvious for one skilled in the art, at the time of the invention to disclose displaying the elements in a tree form.” Similar to claim 4 above, Applicants respectfully traverse this illogical conclusion. Bradshaw discloses a numerical keypad with added function keys. Wynn discloses a video feed display. There is no logical basis for asserting that either of these types of presentations can or should be arranged or displayed in a tree form. Accordingly, it is respectfully submitted that claim 6 is patentable over Wynn and Bradshaw for at least this reason, as well as for the reasons stated above with regards to independent claim 1.

(d) Dependent claim 7

Claim 7 depends directly from independent claim 1, and is therefore submitted to be patentable over Wynn and Bradshaw for at least the reasons set forth above with respect to claim 1. Furthermore, dependent claim 7 recites the following claim element:

“including the step of displaying the displayed navigation selectable elements in a form dependent upon said user profile.”

The Final Office Action states, “Referring to claim 7, Wynn and Bradshaw discloses displaying the displayed navigation selectable elements in a form dependent upon the user profile (Wynn, column 2, lines 37-40 and Bradshaw, column 6, lines 40-45).” As noted above, this passage to Bradshaw merely discloses buttons in the form of a numerical keypad with several added function keys. No form based upon a user profile is taught or suggested by this passage, or by Bradshaw generally. Regarding the reference to Wynn, this passage simply introduces the use of the live video feed, and does not teach or suggest displaying navigation selectable elements in a form dependent upon a user profile, as is claimed. Accordingly, it is respectfully submitted that claim 7 is patentable over Wynn and Bradshaw for at least this reason, as well as for the reasons stated above with regards to independent claim 1.

3. Independent claim 10

Similar to claims 1 and 32, independent claim 10 also pertains to a method of configuring a graphical user interface associated with a gaming system. Claim 10 is also rejected under 35 U.S.C. §103(a) as being unpatentable over Wynn and Bradshaw.

Similar to claims 1 and 32, numerous material claim elements of independent claim 10 have not been adequately accounted for in either of Wynn or Bradshaw. Contrary to the assertions of the Final Office Action, Wynn does not teach or suggest the following elements of claim 10:

- accepting a second input from an operator of said gaming system,
- wherein said operator is an employer of said given user,
- providing a user identification associated with said given user,
- determining a user profile from said user identification,
- determining an access point for said ordered navigation selectable elements for said given user from said profile,

- said access point determining a portion of said navigation selectable elements which are accessible to said given user and a portion of said navigation selectable elements which are not accessible to said given user,
- displaying only one or more of said navigation selectable elements which are accessible to said given user, and
- wherein said resulting display is customized to the given user based at least in part upon said first input and said second input.

Although several of these claim elements are similar to those noted from claims 1 and 32 above, there are several new elements listed here as well. In particular, with respect to the claim element above requiring that the operator be an employer of the user, the Final Office Action points to Wynn at column 9, lines 20-30. Here, however, Wynn describes how its “concierge” may have a “supervisor,” but never describes how such a supervisor provides any form of “operator input” that is then used to customize a display with respect to any navigation selectable elements. Furthermore, the Final Office Action asserts that the “first input” provided by the “user” is from a player of the system, and as such the “supervisor” of this passage would then not be an employer of the player, as is presently claimed.

Regarding the claim elements above that concern access points, the Final Office Action again refers to Wynn at column 2, lines 35-45, which is quoted in its entirety above. Applicants respectfully submit that nothing in this passage remotely suggests an access point, much less an access point set to determine which portions of navigation selectable elements are accessible and which are not accessible to the user. Of course, by failing to teach or suggest these elements, this passage also cannot teach or suggest how such an access point can determine which portions are available and which are not based on a predetermined order of navigation selectable elements as has been claimed.

For at least the foregoing reasons, Applicants respectfully submit that the pending rejection of independent claim 10 cannot stand as presented. Because each of dependent claims 11-14 all depend from claim 10, the pending rejections for these claims similarly cannot stand for at least the same reasons.

4. Dependent claims 12-14

Claims 12-14 also pertain to methods of configuring a graphical user interface associated with a gaming system, and each depends directly or indirectly from independent claim 10. Claims 12-14 are also all rejected under 35 U.S.C. §103(a) as being unpatentable over Wynn and Bradshaw.

(a) Dependent claim 12

Claim 12 depends indirectly from independent claim 10, and is therefore submitted to be patentable over Wynn and Bradshaw for at least the reasons set forth above with respect to claim 10. Furthermore, dependent claim 12 recites the following claim element:

Claim 12 depends from independent claim 10 and adds the limitation:

““wherein navigation selectable elements associated with one or more levels higher than the level with which said access point is associated are not accessible to said user”.”

The Final Office Action states, “Referring to claim 12, Wynn and Bradshaw discloses that the navigation selectable elements associated with one or more levels higher than the level with which the access point is associated are not accessible to the user (Wynn, column 9, lines 20-25).” However, this passage of Wynn simply notes how “the supervisor can also broadcast a media stream to the gaming devices.” Nothing in this passage, or in Wynn or Bradshaw in general for that matter, teaches or suggests navigation selectable elements associated with multiple levels, much less that such elements associated with a level higher than that having a certain access point are not accessible to a user. The recited passage to Wynn is simply non-analogous to navigation selectable elements belonging to different levels and that are displayed selectively according to level. Accordingly, it is respectfully submitted that claim 12 is patentable over Wynn and Bradshaw for at least this reason, as well as for the reasons stated above with regards to independent claim 10.

(b) Dependent claim 13

Claim 13 depends directly from independent claim 10, and is therefore submitted to be patentable over Wynn and Bradshaw for at least the reasons set forth above with respect to claim 10. Furthermore, dependent claim 13 recites the following claim elements:

“including the steps of determining a configuration for said navigation selectable elements based upon said user profile and displaying said navigation selectable elements in accordance with said configuration.”

The Final Office Action states, “Referring to claim 13, Wynn and Bradshaw discloses determining a configuration for the navigation selectable elements based upon a user profile and displaying the navigation selectable elements in accordance with the configuration (Wynn, column 2, lines 37-40 and Bradshaw, column 6, lines 40-45), where Wynn has provided data that is based on user profile with the data representing navigation selectable elements that is obvious over Bradshaw.” Applicants respectfully submit that neither reference teaches or suggests the steps of determining a configuration for navigation

selectable elements based upon a user profile or displaying such elements. Accordingly, it is respectfully submitted that claim 13 is patentable over Wynn and Bradshaw for at least this reason, as well as for the reasons stated above with regards to independent claim 10.

(c) Dependent claim 14

Claim 14 depends directly from independent claim 10, and is therefore submitted to be patentable over Wynn and Bradshaw for at least the reasons set forth above with respect to claim 10. Furthermore, dependent claim 14 recites the following claim elements:

“including the steps of determining if said user is restricted from viewing one or more of said navigation selectable elements based upon said user profile and preventing the display of those elements.”

The Final Office Action states, “Referring to claim 14, Wynn and Bradshaw discloses determining if said user is restricted from viewing one or more of said navigation selectable elements based upon said user profile and preventing the display of those elements (Wynn, column 11, lines 42-46), with the users without club cards not being allowing to view elements based upon their identity of not being card holders.” Applicants respectfully submit that the basis for this conclusion is illogical. The Final Office Action has already provided that the step of “accepting a first input from a given user” (i.e., as found in claim 10) is accomplished by the insertion of a player card. If the purported user input is the insertion of a player club card, then it would be impossible to determine if the user is restricted from viewing elements due to not having a player club card, as set forth in the rejection of claim 14. Because claim 14 must contain all limitations of claim 10, from which it depends, the Final Office Action provides no logical basis for the recited prior art teaching both of these claim elements for claim 14. Accordingly, it is respectfully submitted that claim 14 is patentable over Wynn and Bradshaw for at least this reason, as well as for the reasons stated above with regards to independent claim 1.

5. Independent claim 17

Independent claim 17 is directed toward a gaming system, rather than a method. Claim 17 is also rejected under 35 U.S.C. §103(a) as being unpatentable over Wynn and Bradshaw.

Similar to claims 1, 10 and 32, numerous material claim elements of independent claim 17 have not been adequately accounted for in either of Wynn or Bradshaw. Contrary to the assertions of the Final Office Action, Wynn does not teach or suggest the following elements of claim 17:

- a main window having a navigation viewport . . . and a data viewport arranged to display information associated with an application
- wherein said graphical user interface is adapted to display said navigation selectable elements in a plurality of configurations dependent upon a configuration of a station on which said graphical user interface is displayed or a user profile
- and wherein said resulting display is customized to the user based at least in part upon said first input and said second input.

With respect to the first item above, which recites separate claim limitations, claim 17 requires a main window and a data viewport as separate claim elements. Despite the reference to Bradshaw provided in the Office Action, nothing in the cited passage, or in Bradshaw in general, teaches of a main window having a navigation viewport and also a separate data viewport, as is claimed.

With respect to the second and third items above, the Office Action simply recites these claim elements at length and then points to Wynn at column 5 lines 1-30 as allegedly teaching or suggesting all of these elements. A careful read of this passage, however, does not reveal how Wynn teaches any of: 1) a GUI adapted to display navigation selectable elements; 2) in a plurality of configurations; 3) dependent upon a configuration of a station on which said GUI is displayed or a user profile. As noted above, the Office Action itself admits elsewhere that “Wynn . . . does not explicitly teach providing *a set of navigation selectable elements*” (emphasis added). As such, Applicants are at a loss as to how any of these items can now be said to be taught by Wynn.

Furthermore, many of the elements of claim 17 have apparently been confused with and/or accounted for by several elements within the recited prior art. For example, while claim 17 recites a computing device, a gaming device, a first user station and a second user station, the Office Action appears to designate at various times an ordinary gaming machine as all of these elements. Applicants respectfully submit that this is simply not the case, and that these items are to be considered as four separate elements, as has been claimed. For at least the foregoing reasons, Applicants submit that the pending rejection of independent claim 17 cannot stand as presented. Because each of dependent claims 18-31 all depend from claim 17, the pending rejections for these claims cannot stand for at least the same reasons.

6. Dependent claims 18-19, 22-24, 27 and 31

Claims 18-19, 22-24, 27 and 31 also pertain toward a gaming system, and each depends directly or indirectly from independent claim 17. Claims 18-19, 22-24, 27 and 31 are also all rejected under 35 U.S.C. §103(a) as being unpatentable over Wynn and Bradshaw.

(a) Dependent claim 18

Claim 18 depends directly from independent claim 17, and is therefore submitted to be patentable over Wynn and Bradshaw for at least the reasons set forth above with respect to claim 18. Furthermore, dependent claim 18 recites the following claim element:

“wherein said at least one first user station comprises a station having a touch-sensitive display and wherein said graphical user interface adapted to display one or more of said navigation selectable elements as user-selectable buttons.”

The Final Office Action asserts, “Referring to claim 18, Wynn and Bradshaw discloses that a user station comprises a station having a touch-sensitive display and wherein the graphical user interface adapted to display one or more of the navigation selectable elements as user-selectable buttons (Bradshaw, column 5, lines 25-32 and column 6, lines 35-40).” As noted above, this passage to Bradshaw merely discloses buttons in the form of a numerical keypad with several added function keys. No touch-sensitive display is taught or suggested by these passages. Accordingly, it is respectfully submitted that claim 18 is patentable over Wynn and Bradshaw for at least this reason, as well as for the reasons stated above with regards to independent claim 17.

(b) Dependent claim 19

Claim 19 depends directly from dependent claim 18 and indirectly from independent claim 17, and is therefore submitted to be patentable over Wynn and Bradshaw for at least the reasons set forth above with respect to claims 17 and 18. Furthermore, dependent claim 19 recites the following claim element:

“including the step of displaying said navigation selectable elements in a tree form.”

The Final Office Action states, “Referring to claim 19, Wynn and Bradshaw . . . [do] not disclose displaying the navigation selectable elements in a tree form. It would have been obvious for one skilled in the art, at the time of the invention to disclose displaying the elements in a tree form.” Similar to claim 6 above, Applicants respectfully traverse this illogical conclusion. Bradshaw discloses a numerical keypad with added function keys. Wynn discloses a video feed display. There is no logical basis for asserting that either of

these types of presentations can or should be arranged or displayed in a tree form. Accordingly, it is respectfully submitted that claim 19 is patentable over Wynn and Bradshaw for at least this reason, as well as for the reasons stated above with regards to claims 17 and 18.

(c) Dependent claim 22

Claim 22 depends indirectly from claims 17 and 18, and is therefore submitted to be patentable over Wynn and Bradshaw for at least the reasons set forth above with respect to claims 17 and 18. Furthermore, dependent claim 22 recites the following claim element:

“wherein said soft count system is arranged to verify the authenticity of accepted vouchers or tickets and reconcile said accepted vouchers or tickets against those that have been recorded as having been received and paid by said one or more gaming devices within said gaming system.”

The Final Office Action states, “Referring to claim 22, Wynn and Bradshaw discloses verifying the authenticity of accepted vouchers or tickets and reconcile the accepted vouchers or tickets against those that have been recorded as having been received and paid by one or more gaming devices within the gaming system (Bradshaw, column 6, lines 44-50),” with no further explanation. Applicants respectfully submit that this brief recited passage in Bradshaw simply does not teach this claim element. Accordingly, it is respectfully submitted that claim 22 is patentable over Wynn and Bradshaw for at least this reason, as well as for the reasons stated above with regards to claims 17 and 18.

(d) Dependent claim 23

Claim 23 depends indirectly from claims 17 and 18, and is therefore submitted to be patentable over Wynn and Bradshaw for at least the reasons set forth above with respect to claims 17 and 18. Furthermore, dependent claim 23 recites the following claim element:

“wherein said gaming system accounting system is adapted for use by casino financial personnel and cashiers, wherein at least one user profile for one cashier does not permit the display of soft count information to said cashier on said gaming system.”

The Final Office Action states, “Referring to claim 23, Wynn and Bradshaw discloses that the accounting system is adapted for use by casino financial personnel and cashiers, wherein at least one user profile for one cashier does not permit the display of soft count information to the cashier on the gaming system (Bradshaw, column 7, lines 15-25),” with no further explanation. Applicants respectfully submit that this brief recited passage in Bradshaw simply does not teach this claim element. Accordingly, it is respectfully submitted

that claim 23 is patentable over Wynn and Bradshaw for at least this reason, as well as for the reasons stated above with regards to claims 17 and 18.

(e) Dependent claim 24

Claim 24 depends indirectly from claims 17 and 18, and is therefore submitted to be patentable over Wynn and Bradshaw for at least the reasons set forth above with respect to claims 17 and 18. Furthermore, dependent claim 24 recites the following claim element:

“wherein said gaming system accounting system comprises an audit system adapted to poll a host of said gaming system to confirm proper operation of the system.”

The Final Office Action states, “Referring to claim 24, Wynn and Bradshaw discloses accounting system comprises an audit system adapted to poll a host of the gaming system to confirm proper operation of the system (Bradshaw, column 2, lines 52-57),” with no further explanation. Applicants respectfully submit that this brief recited passage in Bradshaw simply does not teach this claim element. Accordingly, it is respectfully submitted that claim 24 is patentable over Wynn and Bradshaw for at least this reason, as well as for the reasons stated above with regards to claims 17 and 18.

(f) Dependent claim 27

Claim 27 depends indirectly from claims 17 and 18, and is therefore submitted to be patentable over Wynn and Bradshaw for at least the reasons set forth above with respect to claims 17 and 18. Furthermore, dependent claim 27 recites the following claim element:

“wherein said location of said one or more elements of the graphical user interface depends on whether a particular user is left or right handed.”

The Final Office Action states, “Referring to claim 27, Wynn and Bradshaw . . . does not disclose that the location of the one or more elements of the graphical user interface depends on whether a particular user is left or right handed. It would have been obvious . . . to disclose that the location of the elements depends on whether a particular user is left or right handed.” Applicants respectfully traverse this illogical conclusion. Bradshaw discloses a numerical keypad with added function keys. Wynn discloses a video feed display. There is no logical basis for asserting that either of these types of presentations can or should be arranged with respect to whether a user is right or left handed. Accordingly, it is respectfully submitted that claim 27 is patentable over Wynn and Bradshaw for at least this reason, as well as for the reasons stated above with regards to claims 17 and 18.

(g) Dependent claim 31

Claim 31 depends directly from claim 18 and indirectly from claim 17, and is therefore submitted to be patentable over Wynn and Bradshaw for at least the reasons set forth above with respect to claims 17 and 18. Furthermore, dependent claim 31 recites the following claim element:

“wherein said user profile comprises a common user profile shared by a plurality of users of said gaming system.”

The Final Office Action states, “Referring to claim 31, Wynn and Bradshaw discloses that user profile comprises a common user profile shared by a plurality of users of the gaming system (Wynn, column 2, lines 38-45), with Wynn teaching a common user profile of club card holders shared by a plurality of users.” Applicants respectfully submit that this brief recited passage in Bradshaw simply does not teach this claim element. Further, to the extent that the Final Office Action argues that data distinct to each user results in different user profiles, that it cannot also argue that there exists any common user profile based on card club holder data, since every user is a different person by default. Accordingly, it is respectfully submitted that claim 31 is patentable over Wynn and Bradshaw for at least this reason, as well as for the reasons stated above with regards to claims 17 and 18.

B) Conclusion

In view of the forgoing, it is respectfully submitted that none of the pending claims are rendered as obvious by Wynn or Bradshaw, either alone or in combination, and that the rejections of the pending claims in the pending Office Action under are therefore erroneous. Accordingly, it is respectfully requested that the pending rejections of all claims be reversed.

Respectfully Submitted,
BEYER WEAVER LLP

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Justin A. White
Reg. No. 48,883

P.O. Box 70250
Oakland, CA 94612-0250
(650) 961-8300

VIII. CLAIMS APPENDIX

CLAIMS ON APPEAL

1. (previously presented) A method of configuring a graphical user interface associated with an application executed by a computing device of a gaming system, said gaming system including at least one gaming device adapted to accept a wager by a player, present a game, and grant an award for predetermined winning events comprising the steps of:

- providing a set of navigation selectable elements;
- accepting a first input from a given user of said gaming system;
- accepting a second input from an operator of said gaming system;
- providing a user identification associated with said given user;
- determining a user profile from said user identification;
- determining which elements from said set of navigation selectable elements that said user is permitted to view in accordance with said user profile; and
- displaying only said navigation selectable elements said user is allowed to view, wherein said resulting display is customized to the user based at least in part upon said first input and said second input.

2. (original) The method in accordance with Claim 1 wherein said navigation selectable elements include container elements.

3. (original) The method in accordance with Claim 1 wherein said navigation selectable elements comprise application initiating elements.

4. (original) The method in accordance with Claim 1 wherein said navigation selectable elements are arranged in a hierarchical format.
5. (original) The method in accordance with Claim 1 including the step of displaying one or more of said navigation selectable elements as buttons.
6. (original) The method in accordance with Claim 1 including the step of displaying said navigation selectable elements in a tree form.
7. (original) The method in accordance with Claim 1 including the step of displaying the displayed navigation selectable elements in a form dependent upon said user profile.
8. (original) The method in accordance with Claim 1 wherein said user profile is associated with a device which displays said graphical user interface.
9. (canceled)
10. (previously presented) A method of configuring a graphical user interface associated with an application executed by a computing device of a gaming system, said gaming system including at least one gaming device adapted to accept a wager by a player, present a game, and grant an award for predetermined winning events comprising the steps of:
 - providing a set of navigation selectable elements, said set of navigation selectable elements having a predetermined order;
 - accepting a first input from a given user of said gaming system;
 - accepting a second input from an operator of said gaming system, wherein said operator is an employer of said given user;

providing a user identification associated with said given user;
determining a user profile from said user identification;
determining an access point for said ordered navigation selectable elements for said given user from said profile, said access point determining a portion of said navigation selectable elements which are accessible to said given user and a portion of said navigation selectable elements which are not accessible to said given user based on said order thereof;
and
displaying only one or more of said navigation selectable elements which are accessible to said given user, wherein said resulting display is customized to the given user based at least in part upon said first input and said second input.

11. (original) The method in accordance with Claim 10 wherein said navigation selectable elements are arranged into one or more levels, said access point comprises one of said levels.

12. (original) The method in accordance with Claim 11 wherein navigation selectable elements associated with one or more levels higher than the level with which said access point is associated are not accessible to said user.

13. (original) The method in accordance with Claim 10 including the steps of determining a configuration for said navigation selectable elements based upon said user profile and displaying said navigation selectable elements in accordance with said configuration.

14. (original) The method in accordance with Claim 10 including the steps of determining if said user is restricted from viewing one or more of said navigation selectable elements based upon said user profile and preventing the display of those elements.

15-16. (canceled)

17. (previously presented) A gaming system comprising:

a computing device adapted to accept a first input from a given user of said gaming system and a second input from an operator of said gaming system;

at least one gaming device associated with said computing device, said gaming device adapted to accept a wager by a player, present a game, and grant an award for predetermined winning events;

at least one first user station and at least one second user station associated with said system for displaying information and for providing input to said computing device; and

a graphical user interface for displaying said information, said graphical user interface including:

a main window having a navigation viewport displaying one or more navigation selectable elements, one or more of said one or more navigation selectable elements comprising an application initiating element,

and a data viewport arranged to display information associated with an application initiated by selection of one of said one or more application initiating elements, wherein said graphical user interface is adapted to display said navigation selectable elements in a plurality of configurations dependent upon a configuration of a station on which said graphical user interface is displayed or a user profile, and wherein said resulting display is customized to the user based at least in part upon said first input and said second input.

18. (original) The gaming system in accordance with Claim 17 wherein said at least one first user station comprises a station having a touch-sensitive display and wherein said graphical

user interface adapted to display one or more of said navigation selectable elements as user-selectable buttons.

19. (original) The gaming system in accordance with Claim 18 wherein said at least one second user station includes mouse and keyboard input devices and said graphical user interface is adapted to display said navigation selectable elements in a tree form.

20. (original) The gaming system in accordance with Claim 18 wherein said graphical user interface is associated with a gaming system accounting system.

21. (previously presented) The gaming system in accordance with Claim 20 wherein said gaming system accounting system comprises a soft count system arranged to sort currency, vouchers, tickets, or any combination thereof that have been accepted by one or more gaming devices within said gaming system.

22. (previously presented) The gaming system in accordance with Claim 21 wherein said soft count system is arranged to verify the authenticity of accepted vouchers or tickets and reconcile said accepted vouchers or tickets against those that have been recorded as having been received and paid by said one or more gaming devices within said gaming system.

23. (previously presented) The gaming system in accordance with Claim 21 wherein said gaming system accounting system is adapted for use by casino financial personnel and cashiers, wherein at least one user profile for one cashier does not permit the display of soft count information to said cashier on said gaming system.

24. (previously presented) The gaming system in accordance with Claim 20 wherein said gaming system accounting system comprises an audit system adapted to poll a host of said gaming system to confirm proper operation of the system.

25. (previously presented) The gaming system in accordance with Claim 18 wherein the location of one or more elements of the graphical user interface is device specific.

26. (previously presented) The gaming system in accordance with Claim 18 wherein the location of one or more elements of the graphical user interface is user specific.

27. (previously presented) The gaming system in accordance with Claim 26 wherein said location of said one or more elements of the graphical user interface depends on whether a particular user is left or right handed.

28. (previously presented) The gaming system in accordance with Claim 18 wherein one or more of said one or more navigation selectable elements comprises a level navigation button.

29. (previously presented) The gaming system in accordance with Claim 28 wherein said level navigation button is not made available to all users of said gaming system.

30. (previously presented) The gaming system in accordance with Claim 18 wherein at least some users of said gaming system are not permitted to change the configuration of said graphical user interface.

31. (previously presented) The gaming system in accordance with Claim 18 wherein said user profile comprises a common user profile shared by a plurality of users of said gaming system.

32. (previously presented) A method of configuring a graphical user interface associated with a gaming system, said gaming system including at least one gaming device adapted to accept a wager by a player, present a game, and grant an award for predetermined winning events comprising the steps of:

- providing a set of navigation selectable elements, at least one navigation selectable element comprising a level navigation button, wherein said level navigation button is not made available to all users of said gaming system;

- accepting a first input from a given user of said gaming system;

- accepting a second input from an operator of said gaming system, wherein said operator is an employer of said given user;

- providing a user identification associated with said given user;

- determining a first user profile from said user identification, said first user profile being determined from a set of user profiles, wherein at least one of said user profiles comprises a common user profile shared by a plurality of users of said gaming system;

- determining which elements from said set of navigation selectable elements that said given user is permitted to view in accordance with said first user profile; and

- displaying only said navigation selectable elements said given user is allowed to view, wherein said resulting display is customized to the given user based at least in part upon said first input and said second input.

- first input and said second input.

33. (previously presented) The method in accordance with Claim 32 wherein said gaming system accounting system comprises a soft count system arranged to sort, reconcile and verify the authenticity of currency, vouchers, tickets, or any combination thereof that have been accepted by one or more gaming devices within said gaming system, and wherein said gaming

system accounting system is adapted for use by casino financial personnel and cashiers, wherein at least one user profile for one cashier does not permit the display of soft count information to said cashier on said gaming system.

IX. EVIDENCE APPENDIX

NONE

X. RELATED PROCEEDINGS APPENDIX

NONE